

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES

AF 12633

In re Patent Application of

OBERG et al

Serial No. 09/643,993

Filed: August 23, 2000

Title: PROTECTION OF WDM-CHANNELS



Atty Dkt. 2466-69

C#/M#

Group Art Unit: 2633

Examiner: Tran, Dzung D.

Date: March 6, 2003

Corres

**BOX AF
RECEIVED**

MAR 10 2003

Technology Center 2600

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment **34** minus highest number
Previously paid for **34** (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment **4** minus highest number
Previously paid for **4** (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
Paper and attachment(s) (\$110.00/1 month; \$410.00/2 months; \$930.00/3 months) \$ 110.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

SUBTOTAL \$ 110.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 110.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.

By Atty.: Joseph A. Rhoa, Reg. No. 37,515

Signature: _____

#16 Ext. (1) / Reg. Rec.
OD (N.E.)
Jm 3-17-03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inter Patent Application of

OBERG et al

Atty. Ref.: 2466-69

Serial No. 09/643,993

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For: PROTECTION OF WDM-CHANNELS

* * * * *

March 6, 2003

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

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RESPONSE AFTER FINAL

Responsive to the Official Action dated November 6, 2002 (a request is hereby made for a one month extension of time), reconsideration is respectfully requested for at least the following reasons.

REMARKS

Applicant notes with appreciation the Examiner's allowance of claims 29-32 and 46-49, and the Examiner's indication that claims 34-39 and 51-56 contain allowable subject matter.

The final rejection is fundamentally flawed, because the Examiner refers to components in a reference which clearly are not in the reference. It appears as if the

Examiner may have mis-identified the reference intended for use in the rejection. The

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